

Message Text

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DRAFTED BY ARA:JKEANE:JLP

APPROVED BY:ARA:JOHN KEANE

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P 161955Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY GUATEMALA PRIORITY

LIMITED OFFICIAL USE STATE 229571

FOR MR. SHLAUDEMAN FFOM KEANE

FOLLOWING REPEAT MEXICO 11862, ACTION SECSTATE DTD 15 SEP 76.

QTE: LIMITED OFFICIAL USE MEXICO 11862

E.O. 11652: N/A

TAGS: CASC, MX

SUBJECT: PROPOSAL ON TRANSFER OF SANCTIONS

REF: STATE 11450#

1. THE FOLLOWING JOINT U.S.-MEXICAN PRESS RELEASE ON THIS SUBJECT WILL BE ISSUED IN SPANISH TEXT BY THE FOREIGN SECRETARIAT EITHER EVENING TODAY, SEPTEMBER 15, OR TOMORROW, SEPTEMBER 16, DEPENDING UPON HOW QUICKLY FOREIGN SECRETARY CAN REACH PRESIDENT ECHEVERRIA TO INFORM HIM:

2. BEGIN TEXT: REPRESENTATIVES OF THE GOVERNMENT OF MEXICO AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA MET SEPTEMBER 14 AT THE SECRETARIAT OF FOREIGN RELATIONS TO CONTINUE DISCUSSIONS OF TECHNICAL ASPECTS OF A PROPOSED LIMITED OFFICIAL USE

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TREATY BETWEEN THE TWO COUNTRIES PROVIDING THAT NATIONALS

CONVICTED IN ONE COUNTRY MIGHT SERVE THEIR SENTENCES IN THEIR COUNTRY OF ORIGIN. THE PURPOSE OF SUCH TREATY IS TO FACILITATE THE REHABILITATION OF SUCH PERSONS. SINCE BOTH COUNTRIES OPERATE UNDER FEDERAL CONSTITUTIONS, THE INTEREST OF THE STATES OF THE PARTIES WITHIN THEIR NATIONAL CONSTITUTIONAL FRAMEWORK MUST BE TAKEN INTO ACCOUNT.

3. THE PURPOSE OF THE MEETING WAS TO FURTHER CLARIFY THE TECHNICAL LEGAL DETAILS WHICH WILL BE INVOLVED. AT THE CONCLUSION OF THE MEETINGS THE PARTICIPANTS AGREED ON A SCHEDULE FOR THE NEGOTIATION OF A TREATY WHICH WOULD BE PRESENTED FOR APPROVAL TO THE RESPECTIVE SENATES. IT WAS UNDERSTOOD BY BOTH PARTIES THAT IMPLEMENTATION OF SUCH A TREATY WOULD REQUIRE LEGISLATIVE ACTION BY THE RESPECTIVE CONGRESSES.

4. SPECIFICALLY, THE REPRESENTATIVES AGREED THAT NO LATER THAN THE FIRST WEEK IN OCTOBER THE PARTIES WOULD EXCHANGE PROPOSED TEXTS OF A TREATY AND THAT DURING THE SECOND HALF OF OCTOBER THEY WOULD MEET AGAIN TO RECONCILE TEXTUAL PROVISIONS OF THE DRAFTS AND NEGOTIATE AN AD REFERENDUM DRAFT FOR CONSIDERATION BY THE INTERESTED GOVERNMENTAL AGENCIES. ALTHOUGH THIS SCHEDULE MAY REQUIRE MODIFICATION, IN THE LIGHT OF THE ON-GOING DISCUSSIONS IT WAS AGREED THAT THE OBJECTIVE WOULD BE TO COMPLETE NEGOTIATION OF AN AD REFERENDUM DRAFT TREATY DURING NOVEMBER.

5. THE PARTICIPANTS IN THE DISCUSSIONS WERE:
FOR THE GOVERNMENT OF MEXICO:
AMBASSADOR ROSENZWEIG DIAZ, CONSEJERO
JURIDICO, SECRETARIA DE RELACIONES EXTERIORES
LIC. SOCRATES HUERTA, DIRECTOR JURIDICO Y
CONSULTIVO DE LA PROCURADURIA GENERAL DE LA
REPUBLICA

SEÑOR JORGE AGUILAR, DIRECTOR GENERAL DE
SERVICIO CONSULAR DE LA SECRETARIA DE RELACIONES EXTERIORES
FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
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MR. MONROE LEIGHT, LEGAL ADVISER TO THE DEPARTMENT OF STATE
MR. VERNON D. MCANINCH, CONSELOR FOR CONSULAR AFFIARS,
AMERICAN EMBASSY
PROFESSOR DETLEV VAGTS, HARVARD LAW SCHOOL.
PRESENTLY SERVING AS CONSULER IN INTERNATIONAL LAW TO THE
OFFICE OF THE LEGAL ADVISER TO THE DEPARTMENT OF STATE.
MR. H. ROWAN GAITHER, LEGAL ADVISER TO THE
AMERICAN EMBASSY.

6. WILL REPORT PRECISE RELEASE TIME ASAP. THOMPSON UNQTE: HABIB

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